

REMARKS

Claims 1, 4-10 and 11 stand rejected under 35 USC § 102(b) as being anticipated by Gelbein, U.S. Patent No. 5,584,210. Claims 2-3 and 12-13 stand rejected under 35 USC § 103(a) as being obvious over Gelbein in view of Steinbock, U.S. Patent No. 6,381,827. Claims 1-13 and new claims 14-17 are at issue.

Applicant respectfully traverses the Examiner's rejection of claims 1, 4-10 and 11 under 35 USC § 102(b) as being anticipated by Gelbein. Contrary to the argument of the Examiner, Gelbein does not include a first arm having a distal end defining a first threaded bore and a second arm having a distal end defining a second threaded bore, wherein the first threaded bore and the second threaded bores *are essentially coaxial*. This limitation appears in each of the independent claims, claims 1, 6, 10 and 11. As seen in Fig. 3, the purported "threaded bore" 56 is not internally threaded in the portion adjacent the head of the bolt 58. Were it internally threaded, the clamp would not function as described. That is, the bolt 58 would engage any threads in the hole adjacent the head and when the threads of the opposite hole were engaged there would be no way to tighten the clamp because the bolt shaft itself would in effect prevent tightening of the clamp about a handle bar. This is also apparent from Fig. 3 itself in which the inner diameter of the bolt hole 56 near the head of the bolt 58 (the left hole in Fig. 3) appears much larger than the inner diameter of the internally threaded portion (the right hole in Fig. 3).

Perhaps the Examiner contends the first and second threaded bore limitations are met by a first threaded bore 56 on the right side of right pedestal 54 and a second threaded bore 56 on the right side of the left pedestal 54. However, this construction fails to provide the first and second threaded bores as being coaxial.

Gelbein further fails to anticipate the pending claims because Gelbein fails to teach a screw including a clearance portion configured such that with threaded engagement between the threaded portion of the shank and one of the first and second threaded bores with the head abutting one of the first and second arms opposite the threaded engagement, the clearance portion resides within the other of the first and second *threaded* bores. Again, referring to Fig. 3 of Gelbein, with the screw 58 engaged as illustrated, the distal threaded end of screw 58 would engage the threaded hole on the right arm of the pedestal but there is no threaded hole on the left arm of the pedestal or a "clearance portion" which could reside in the non-existent threaded bore.

For at least the foregoing reasons, Applicant respectfully submits claims 1, 4-10 and 11 are not anticipated by Gelbein.

Steinbock, which is cited by the Examiner in rejecting claims 2-3 and 12-13 in combination with Gelbein, fails to overcome the deficiencies of Gelbein. Specifically, Steinbock does not teach the combination of first and second coaxial threaded bores at the distal ends of first and second arms or a configuration wherein a clearance portion of a screw resides within a threaded portion of one arm with the threaded portion of the screw in threaded engagement with a coaxial threaded hole of the other arm. Accordingly, Applicants respectfully submit the combination of Gelbein and Steinbock fails to render unpatentable claims 2-3 and 12-13 or any of the independent claims currently pending.

Submitted herewith are new claims 14-17, which are dependent from independent claims 1, 6, 10 and 11, respectively. Each of these claims specifically recites that the clearance portion is non-threaded, which further distinguishes over the teachings of Gelbein.

Reconsideration and withdrawal of the rejections of the pending claims as well as consideration and allowance of the newly submitted claims 14-17 are respectfully requested. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefor to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to deposit account No. 19-5117.

Respectfully submitted,

Date:

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